

## **REMARKS/ARGUMENTS**

The Official Action dated 28 February 2005 has been carefully considered, along with cited references, applicable sections of the Patent Act, Patent Rules, the Manual of Patent Examining Procedure and relevant decisional law.

Claims 1, 2 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Pape (5,779,600).

Claims 1, 2 and 10 are also rejected under 35 U.S.C. § 102(b) as being anticipated by Pyles (5,051,638).

Claims 1 and 3-7 are also rejected under 35 U.S.C. § 102(b) as being anticipated by Huang (6,736,761).

Claims 1, 3, 8 and 9 are rejected under 35 U.S.C. § 103(a) as being obvious over Pape (5,779,600) in view of Stevens (6,302,827).

Applicant respectfully submits that the present invention is significantly different from that of the cited arts as can be seen from their respective structures. Applicant's invention as specified in the amended claims 1 and 6 is patentably distinguishable over these references when taken either singularly or in combination for the following reasons:

The Examiner cites, for claims 1, 2 and 10, Pape as an example of an exerciser comprising a base (12), a magnetic rotating wheel (48), a rotary member (46), means for driving the wheel (36, 42, 46, 50, 52) and a fan device (56) attached onto the rotating wheel.

The Examiner further cites, again for claims 1, 2 and 10, Pyles as an example of an exerciser comprising a base, a magnetic rotating wheel (13), a rotary member, means for driving the wheel

(pedals) and a fan device (1) attached onto the rotating wheel.

For claims 1 and 3-7, the Examiner further cites Huang as an example of an exerciser comprising a base (41), a rotating wheel (31), means for driving the wheel (when 22 is rotated) and a fan device (33) attached onto the rotating wheel. Huang further discloses that the fan device (33) includes a plate secured to the rotating wheel (31) via screws (333) and a plurality of fan blades extended radially and outwardly from the plate wherein each blade includes a side segment laterally extended out of said plate and an inner portion having an inclined surface that are spaced away from an opening (331) of the plate.

For claims 1, 3, 8 and 9, the Examiner further cites Steven as an example disclosing a resistance-adjusting device having a fan device (11) that includes a plate secured to a rotating wheel (5) wherein the plate includes a peripheral flange, having an inner diameter equal to an outer diameter of the rotating wheel, extending laterally from one side to engage the rotating wheel to firmly attach the fan device to the wheel.

Actually, in Pape, Pyles, and Steven, only the basic structure of the claimed exerciser have been disclosed, and Steven further disclosing a plate including a peripheral flange extending laterally from one side to engage the rotating wheel to firmly attach the fan device to the wheel, and all failed to disclose a plate including a number of fan blades extended radially and outwardly from an outer peripheral portion of the plate and each having a side segment laterally extended out of the plate for air scooping purposes.

However, actually, in Huang, the fan (33) is secured to the

aluminum disk (31), and the fan blades are extended laterally from the plate or includes a side segment laterally extended out of said plate only, the fan blades are NOT extended **radially and outwardly** from the plate, such that, as best shown in FIGS. 6 and 7, the fan blades will be enclosed and confined between the aluminum disk (31) and the fixation disk (35). In addition, the fixation ring (32) is fully engaged into the axial hole (331) of the fan (33), such that the axial hole (331) of the fan (33) may not be used for air circulation purposes.

By contrast, in Applicant's invention, as amended in the amended claims 1 and 6, the opening (44) of the plate (41) has not been fully filled with or is not blocked by the pivot shaft (14). In addition, the fan blades (47) are extended **radially and outwardly** from an outer peripheral portion of the plate (41) and spaced away from the opening (44) of the plate (41), each of the fan blades (47) includes a side segment (48) laterally extended out of the plate (41), such that the fan blades (47) are wide opened, and may be suitably extended out of the plate (41) for air scooping purposes, best shown in FIG. 3.

The cited arts fail to teach an exerciser comprising a rotating wheel (30) rotatably supported on a base (10) and coupled to a rotary member (20), and a fan device (40) attached onto the rotating wheel (30) and including a plate (41) secured to the rotating wheel (30) and having an opening (44) formed therein, and having a plurality of fan blades (47) extended radially and outwardly from an outer peripheral portion of the plate (41) and spaced away from the opening (44) of the plate (41), and each of the fan blades includes a

side segment (48) laterally extended out of the plate (41) for air scooping purposes. In addition, and simultaneously, the plate (41) includes a peripheral flange (45) extended laterally from one side thereof, to engage onto the rotating wheel (30) and to firmly attach the fan device (40) onto the rotating wheel (30). The applicant's invention is different from that of the cited arts and has improved over the cited arts.

In view of the foregoing amendments and remarks, applicant respectfully submits that the present invention is patentably distinguishable over the cited arts and that the application is now in condition for allowance, and such action is earnestly solicited.

Courtesy and cooperation of Examiner NGUYEN are appreciated.

respectfully submitted,

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